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May 6, 2016

Via – Email jason.manning@troutmansanders.com

Jason E. Manning
TROUTMAN SANDERS LLP
222 Central Park Avenue, Suite 2000
Virginia Beach, VA 23462

Dear Jason:

**Re: David M. Daugherty v. Equifax Information Services LLC, et al.
Civil Action No. 14-C-679 (K)**

We have noticed the deposition of a records custodian of Equifax because you refuse to stipulate to the authenticity of the ACDV's sent by Equifax to Ocwen as a stream of data. We don't think the records deposition be necessary because I think we can force you to concede that those documents are genuine the following reasons:

1. Each ACDV has a discrete 17 numeral Control Number.
2. Each ACDV sent by Equifax to Ocwen was acknowledged in the Ocwen notes by date and the discrete Control Number placed on the ACDV by Ocwen.
3. Once the ACDV was received and acknowledged by Ocwen, Ocwen "investigated" the dispute and responded to the Equifax ACDV by adding to the same form, the name of the Ocwen investigator, his or her telephone number, and verified the disputed information. All done in the normal course of business. Hence the ACDV form once responded to by Ocwen becomes Ocwen's business record.
4. Ocwen has its own ACDV form, identical, in all respects, to the Equifax ACDV for every dispute. But, Ocwen has withheld its ACDV forms for the following disputes:
 - March 19, 2013, Control Number 9993078035699088, Acknowledged as received in Ocwen's Notes @ Bates 001664

Jason E. Manning
TROUTMAN SANDERS LLP
May 6, 2016
Page - 2 -

- March 19, 2013, Control Number 9993078035699087, Acknowledged as received in Ocwen's Notes @ Bates 001665
- June 2, 2013, Control Number 3103 and 3102, Acknowledged as received in Ocwen's Notes @ Bates 001673-74,
- July 5, 2013, Control Number 4102 and 4103, Acknowledged as received in Ocwen's Notes @ Bates 001677,
- August 26, 2013, Control Number 5107, Acknowledged as received in Ocwen's Notes @ Bates 001683,
- October 10, 2013, Control Number 5113 and 5114, Acknowledged as received in Ocwen's Notes @ Bates 001688,
- December 2, 2013, Control Number 0123 and 0122, Acknowledged as received in Ocwen's Notes @ Bates 001695, and
- January 17, 2014, Control Number 1127, Acknowledged as received in Ocwen's Notes @ Bates 001709.

5. Ocwen's expert witness Mr. Ulzheimer specifically relied upon his review of the ACDV's of Equifax ("EIS-Daugherty 1-1092") in reaching his opinions. (Exhibit C to Report, Mr. Ulzheimer) Hence, there can be absolutely no question about the admissibility or authenticity of these documents.

If you are going to continue to beat this dead horse, then we will take it up with the Magistrate Judge on Monday.

Very truly yours,



Ralph C. Young

RCY:sfw